

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Figures 1 and 5.

Attachment: 2 replacement sheets

REMARKS

Please note that Figure 1 has been corrected (even though not pointed out by the Examiner) consistent with the disclosure in paragraph [0020], which states, starting from line 3, “an upper channel 104 and a lower channel 106 separated by a gel plug, layer or membrane 108.”

Figures 4, 5 and 6 were objected because reference characters 213 and 214 were used to designate the same part in these figures. By the correction of Figure 5, wherein reference number 214 is changed to 213, the above objection should be withdrawn. Corrected drawings are submitted herewith to overcome the objections to the drawings.

The Abstract was objected. This objection should be withdrawn in light of the amendment of the Abstract.

The specification was objected as follows:

In paragraph [0023], the reference number 213 was given for the reservoir ends in Figure 5, but there was no reference number 213 in Figure 5. Now corrected Figure 5 contains reference number 213.

In paragraph [0024], the reservoir for the upper channel was given reference number 215 in line 6 instead of 213. This error has been corrected. Also, the upper channel was given reference number 204 instead of 228 and the lower channel was given reference number 208 instead of 230 at some occurrences in paragraph [0024]. These error have been corrected.

The amendments of claims 1, 10 and 14 and new claims 22-24 are supported by Figure 1 and paragraph [0020] of the specification.

Claims 1, 2, 5, 6, 10, 11, 14 and 17-20 were rejected as being anticipated by Jacobson. This rejection is respectfully traversed.

As discussed throughout Jacobson, and explicitly shown in Figure 1A, Jacobson fails to disclose or suggest “the first fluid passage intersects the second fluid passage where the membrane is positioned separating the fluid passage and the second fluid passage” as recited in independent claims 1, 10 and 14. Thus, the anticipation rejections should be withdrawn.

Claims 3, 12 and 18 were rejected as being obvious over Jacobson in view of Ruiz-Martinez. Claims 4, 14 and 19 were rejected as being obvious over Jacobson in view of Olivares. These rejections are respectfully traversed.

Both of the cited secondary references fail to disclose or suggest “the first fluid passage intersects the second fluid passage where the membrane is positioned separating the fluid passage and the second fluid passage” as recited in independent claims 1, 10 and 14. Thus, the secondary references fail to fill a gap in Jacobson. Thus, the cited prior *as a whole* fail to disclose a limitation of each of the independent claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. . However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By 

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Attachments

REPLACEMENT SHEETS